

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

MDL NO. 2843

CASE NO. 3:18-MD-02843-VC-JSC

HON. VINCE CHHABRIA
HON. JACQUELINE SCOTT CORLEY
COURTROOM 4 – 17TH FLOOR
SPECIAL MASTER, DANIEL GARRIE, ESQ.

**AMENDED PROTOCOL FOR
RESOLVING DISCOVERY DISPUTES**

AMENDED PROTOCOL FOR RESOLVING DISCOVERY DISPUTES

1 1. According to the court's order of July 20, 2021, Daniel Garrie ("Special Master") was
 2 appointed as Discovery Special Master to resolve discovery disputes that the parties cannot resolve in
 3 mediation. This order sets out the amended protocol for resolving such discovery disputes, amending
 4 dkt. 733.

5 2. Each week the parties are to submit a joint spreadsheet to the Special Master and Mediator
 6 via JAMS Access identifying the current outstanding issues, whether impasse has been declared, and
 7 summarize the parties' positions on each issue (see spreadsheet column values below).

Issue	Moving Party	Status	Impasse (Y/N)	Summary of Plaintiffs' Position	Summary of Defendant's Position
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 10 3. For each issue at impasse, the Special Master will determine whether briefing is necessary
 11 and notify the parties accordingly.

12 4. For the issues for which the Special Master determines that briefing is not necessary, the
 13 Special Master will issue a tentative ruling. Within 48 hours of the tentative ruling, the parties may
 14 submit a motion for reconsideration not to exceed two pages and request a hearing to occur within 48
 15 hours, subject to the Special Master's availability. The Special Master will deny the motion or issue a
 16 final amended ruling. The tentative ruling becomes final if no motion for reconsideration is submitted
 17 within 48 hours.
 18

19 5. For the issues for which the Special Master determines that briefing is necessary, within three
 20 business days of the Special Master notifying the parties, the parties are each to submit a brief, not to
 21 exceed three pages single spaced for argument and 100 pages for exhibits. In the briefs, the parties may
 22 request a hearing to occur within 48 hours, subject to Special Master availability. Special Master will
 23 then issue a tentative ruling. Within 48 hours of the tentative ruling, the parties may submit a motion for
 24 reconsideration not to exceed two pages. The Special Master will deny the motion or issue a final
 25 amended ruling. If no motion to reconsider is submitted within 48 hours, the tentative ruling becomes
 26 final.
 27
 28

1 6. No motion for reconsideration may include new argument without a declaration
2 demonstrating new facts or circumstances that did not exist at the time of the original briefing.

3 7. The Special Master consulted with Judge Chhabria and Judge Corley in drafting this amended
4 protocol.

5
6 IT IS SO ORDERED.
7

8 January 24, 2022



Daniel Garrie
Discovery Special Master